



STAFF REPORT

City of Arkansas City Neighborhood Services Division
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CASE NUMBER
 CU-2023-023

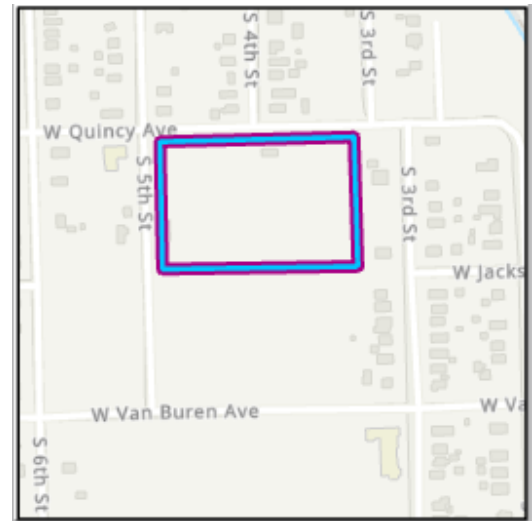
APPLICANT/PROPERTY OWNER
 Chris Befort/Glenna Baker & Verna Welch

PUBLIC HEARING DATE
 September 12, 2023

PROPERTY ADDRESS/LOCATION
 425 W Quincy Ave

BRIEF SUMMARY OF REQUEST

The subject property is located at 425 W Quincy Avenue. The surrounding area is comprised of residential and institutional uses. Single Family Residential surrounds the site. Churches are located both northwest and southeast of the site. The property consists of approximately 11.22 acres. The applicant has submitted the request for a conditional use permit for a self-storage facility. The use must meet the requirements of Subdivision Regulations Section 13-702. In the C-2 District this use is only permitted with a conditional use permit. The sale of the property to Chris Befort is contingent upon approval of this request. Staff do have some concerns but having a Conditional Use Permit as a requirement for the proposed use alleviates some of the concerns of staff. Assuming the issues can be mitigated by requiring certain conditions, it is the recommendation of staff that the conditional use permit be approved.



Map data ©2023 Esri World Topographic map

EXISTING ZONING R-2-Medium Density Residential (subject of case RZ-2023-116 which would rezone the property to C-2-Restricted Commercial District)	EXISTING LAND USE Agricultural	SURROUNDING ZONING & LAND USE North-R-2; Residential East-R-2; Residential South-R-2; Residential/Institutional West-R-2; Residential/Institutional	SITE IMPROVEMENTS Numerous Outbuildings Drainage ditch	SIZE OF PROPERTY 11.22 acres
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STAFF RECOMMENDATION

APPROVE

APPROVE WITH CONDITIONS

DENY

COMPATIBILITY with the COMPREHENSIVE PLAN
 The Future Land Use portion of the Comprehensive Plan designates the subject property as residential use. The proposed use is commercial. There isn't a specific goal or action related to the proposed project other than it being a form of infill development of underutilized land instead of development along the fringe of the City. While the area is predominantly residential, commercial has been present on the property in the past and was partially zoned for it as recently as 2014.

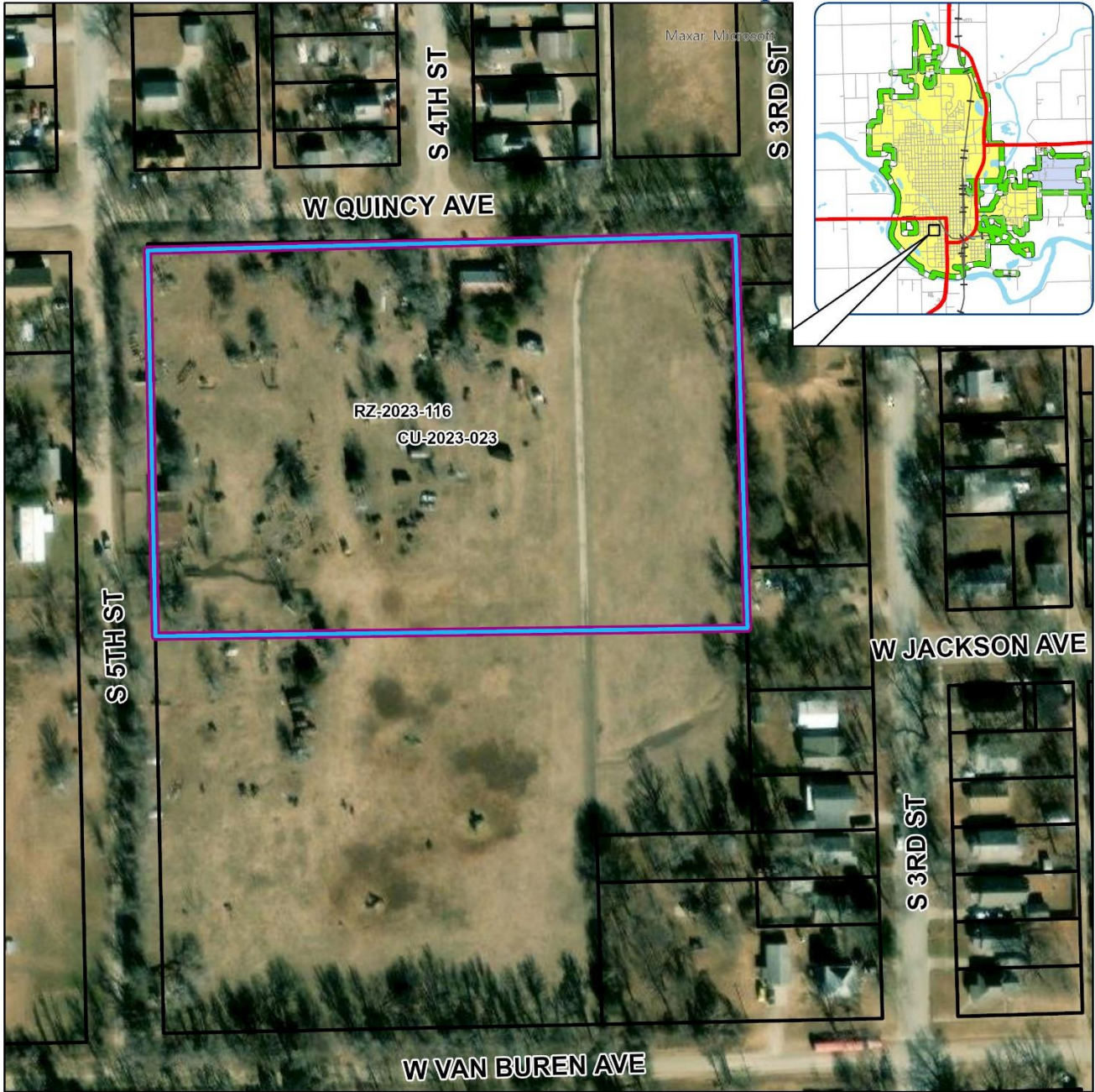
PROPERTY HISTORY
 The property has long been used as a pasture as well as a welding shop. In 1969, the area around the welding shop was rezoned from R-2 (Single Family Residential District, similar to our current R-2 district) to B-2 (General Business District, similar to our current C-3 district). In 2002, a front yard setback variance was issued for the construction of an accessory building with zero setback along 5th Street. The property designated as R-2 (Medium Density Residential District) in 2014 when the new zoning map was established as the welding shop had become inactive. The last time it was used as a welding shop was likely in 2007 with it mostly being used for storage or small projects since. In 2014, a rezone request to rezone the property from R-2 to A was denied and later withdrawn after the Planning Commission determined the rezone was unnecessary as the existing use had become legal non-conforming and would be allowed to continue. The property also has a rezoning case pending (RZ-2023-116) that would rezone it to C-2.

COMPATIBILITY with the ZONING ORDINANCE

The surrounding area is comprised of residential and institutional uses. It is the intent of the commercial zoning districts to provide areas of compatible commercial and service businesses. The change in classification would be consistent with the intent and purpose of these regulations. The proposed district is also the most restrictive district that will allow the proposed use.

Area map

Rezone/Conditional Use Permit Request



A request to rezone 425 W Quincy Avenue
from R-2 (Medium Density Residential District) to C-2 (Restricted Commercial District)
and

A request for a conditional use permit to build a self storage facility in a C-2 district at 425 W Quincy Avenue.

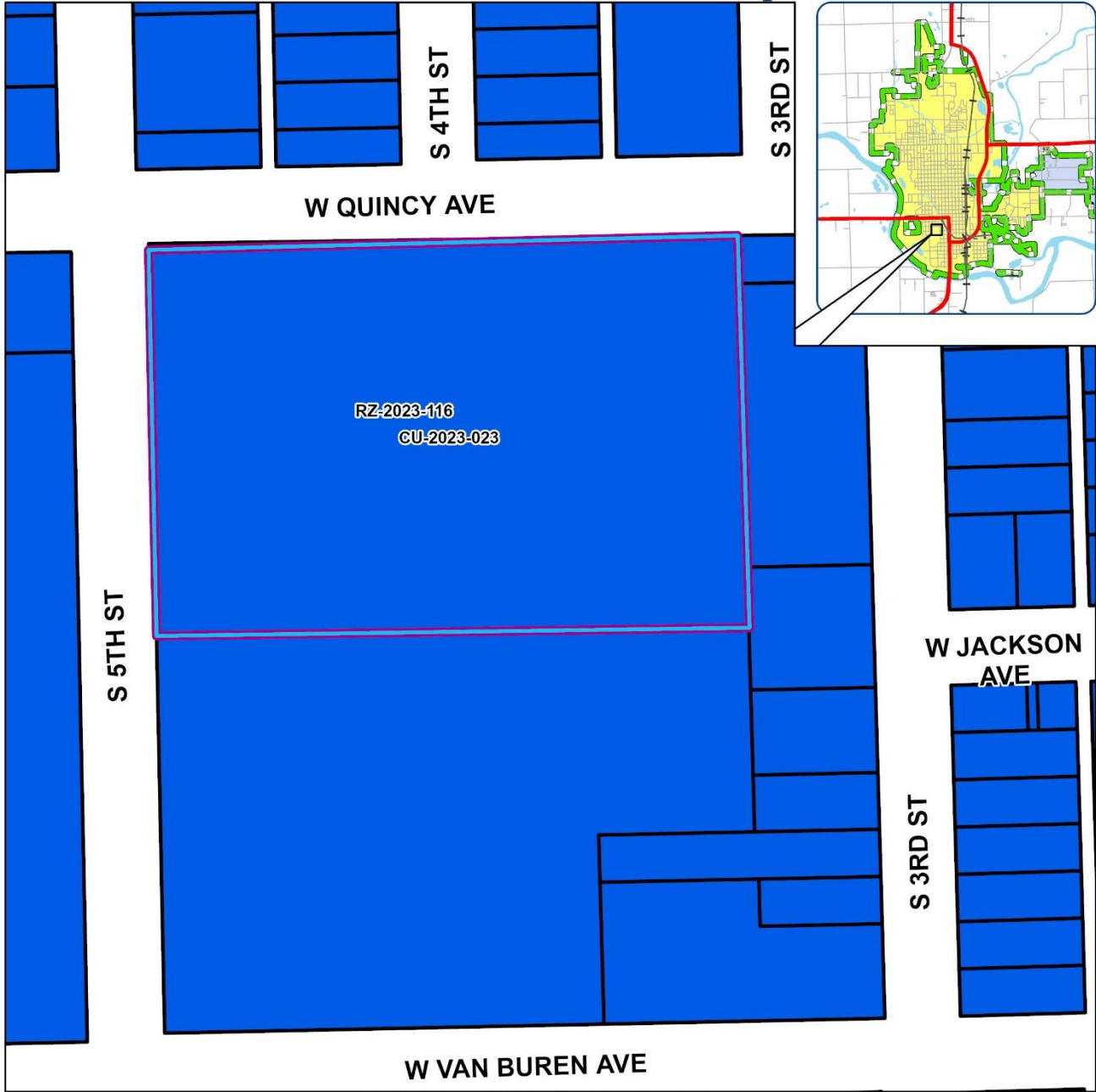
-  Conditional Use
-  Rezone
-  Property Lines

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using the best available
data to date.
Created: August 16, 2023



Future Land Use map

Rezone/Conditional Use Permit Request



A request to rezone 425 W Quincy Avenue
from R-2 (Medium Density Residential District) to C-2 (Restricted Commercial District)
and
A request for a conditional use permit to build a self storage facility in a C-2 district at 425 W Quincy Avenue.

-  Conditional Use
-  Rezone
-  Property Lines
- Future Land Use**
-  Residential

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Zoning map

Rezone/Conditional Use Permit Request



A request to rezone 425 W Quincy Avenue
from R-2 (Medium Density Residential District) to C-2 (Restricted Commercial District
and

A request for a conditional use permit to build a self storage facility in a C-2 district at 425 W Quincy Avenue.

-  Conditional Use
-  Rezone
-  Property Lines
-  R-2, Medium Density Residential District

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Findings

When a proposed amendment would result in a change of the zoning classification of any specific property, the recommendation of the Planning Commission, accompanied by a copy of the record of the hearing, shall contain statements as to the present classification, the classification under the proposed amendment, the reasons for seeking such reclassification, a summary of the facts presented, and a statement of the factors upon which the recommendation of the Planning Commission is based, using the following guidelines. Note that all references to agriculture in this report also include associated residential uses.

1. **Whether approval of the conditional use would be consistent with the intent and purpose of these regulations**

The surrounding area is comprised of residential and institutional uses. It is the intent of the commercial zoning districts to provide areas of compatible commercial and service businesses. The change in classification would be consistent with the intent and purpose of these regulations. The proposed district is also the most restrictive district that will allow the proposed use.

2. **Whether the location of the proposed use is compatible to other land uses in the surrounding neighborhood;**

The proposed use of self-storage facility would be permitted under the C-2, Restricted Commercial District. This area surrounding the property is residential but is low density in this area. The site could be designed so that it has large setbacks and screened from the view of the residential properties in order to mitigate any issues.

Neighborhood Photos



Looking east along Quincy Ave. Google StreetView from March 2014.



Looking west along Quincy Ave. Google StreetView from March 2014



Looking east from 5th Street. Taken 7/11/2014 by Josh White



Welding Shop. Google StreetView from March 2014

3. **Whether the proposed use places an undue burden on the existing public infrastructure in the area affected and, if so, whether additional infrastructure can be provided;**

All sewer, water and other utilities are readily available at or near the site. Police and Fire should be able to serve the building without any changes to services. The area's streets are gravel. The proposed use will generate some traffic but not a substantial amount. Additional grading frequency

may be necessary or perhaps the street could have millings applied to it as has occurred with other gravel streets in the City.

4. Whether the proposed use is made necessary or desirable because of changed or changing conditions in the area affected;

The area does not appear to be changing and is not made necessary due to such changes. It is desirable to the buyer in order to make the most use of the property.

5. The length of time the subject property has remained vacant or undeveloped as zoned;

The welding shop is still present but hasn't been used as a welding shop since approximately 2007. It has mostly been used for storage (with the occasional small project) since then. The balance of the property had been used as a cattle pasture as recently as about a year ago.

6. Whether the applicant's property is suitable for the proposed conditional use;

The property is mostly vacant pasture. The development needs to be setback from the existing drainage ditch and is also large enough to be setback a fairly good distance from property lines.

7. Whether the proposed conditional use would be in conformance to and further enhance the implementation of the City's Comprehensive Plan;

The Future Land Use portion of the Comprehensive Plan designates the subject property as residential use. The proposed use is commercial. There isn't a specific goal or action related to the proposed project other than it being a form of infill development of underutilized land instead of development along the fringe of the City. While the area is predominantly residential, commercial has been present on the property in the past and was partially zoned for it as recently as 2014.

8. Whether the proposed conditional use, if it complies with all the conditions upon which the approval is made contingent, will not adversely affect the property in the area affected;

Provided the use meets the conditions, it should not adversely affect the property in the area. It must meet all of the requirements of Subdivision Regulations Section 13-702 for self-storage facilities. The regulations include such standards as off-street parking, screening and fencing, and architecturally compatible with the neighborhood. Door openings to units must be screened from view of public right-of-way or residential properties.

9. For such uses as solid waste disposal facilities, including sanitary landfills, construction and demolition landfills and transfer stations, whether the proposed conditional use is consistent with any adopted Solid Waste Management Plan of Cowley County, and amendments thereto; and

The proposed project does not require special disposal of solid waste. No operations such as automotive repair shall be conducted on the site.

10. The recommendations of professional staff and advisors

Staff does have some concerns but having a Conditional Use Permit as a requirement for the proposed use alleviates some of these concerns. Assuming the issues can be mitigated by requiring certain conditions, it is the recommendation of staff that the conditional use permit for a self-storage facility be approved based on the following conclusions:

- The property has remained underutilized for the past year or more.
 - A portion of the area has been a commercial use in the recent past.
 - The project should not adversely affect the neighboring properties with conditions imposed on it by the Conditional Use Permit specifically those regulations in Subdivision Regulations Section 13-702.
 - The public health, safety and general welfare should not be negatively impacted by the issuance of the conditional use permit
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Conditions:

- The project must meet the requirements of Subdivision Regulations Section 13-702
- The project must ensure its drainage plan does not negatively impact the existing drainage ditch on the property.
- Automotive Repair or related operations shall not be conducted on the site.

11. Such other factors as the Planning Commission may deem relevant from the facts and evidence presented in the application

Additional conditions may be recommended by the Planning Commission
